



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

August 3, 1990

Mr. Robert E. Shaddock
General Counsel
State Department of Highways
and Public Transportation
DeWitt C. Greer State Highway Building
11th & Brazos
Austin, Texas 78701-2483

OR90-360

Dear Mr. Shaddock:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10191.

The State Department of Highways and Public Transportation (the department) received an open records request for traffic control device inspection reports and related daily work records. A previous determination of this office, Open Records Decision No. 551 (1990), resolves your request. Because the department has received a notice of claim with respect to a traffic accident to which the requested documents relate, you may withhold the requested information pursuant to section 3(a)(3) until the department is made a party to the litigation and the information is released to the opposing party during the discovery process, or until the statute of limitations for filing a lawsuit against the department has run.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-360.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Jim Moellinger".

Jim Moellinger
Assistant Attorney General
Opinion Committee

Mr. Robert E. Shaddock - Page 2 (OR90-360)

JM/RWP/le

Enclosure: Open Records Decision No. 551 (1990)

Ref.: ID# 10191

cc: Stephen E. Van Gaasbeck
1227 S.W. Military Drive
San Antonio, Texas 78221